

DFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/601,062	
	Filing Date	June 20, 2003	
	First Named Inventor	Michael C. Brakefield, et al.	
	Art Unit	3652	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	3	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	McAfee & Taft		
Signature			
Printed name	Clifford C. Dougherty, III		
Date	October 31, 2004	Reg. No.	31,607

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Clifford C. Dougherty, III	Date	November 1, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael C. Brakefield, et al.)
)
Serial No.: 10/601,062) Art Unit: 3652
)
Filing Date: June 20, 2003)
) Examiner: Unknown
For: DIESEL FUEL TRANSFERRING)
SYSTEM AND METHOD OF USE)

Mail Stop Amendment
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

By this statement, Applicants are submitting information of which they are aware and which they believe may be material to the examination of this application.

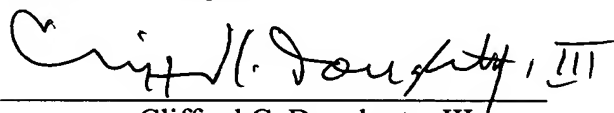
The filing of this statement should not be considered as a representation that a search has been made (see 37 C.F.R. § 1.97(g)), or an admission that the information cited is considered to be material to patentability as defined in 37 C.F.R. § 1.56 (see 37 C.F.R. § 1.97(h)). Furthermore, the filing of this statement should not be considered as an admission against interest in any manner (see Notice of final rulemaking, 1135 O.G. 13-25, at 25 (2-4-92)).

A portable pumping system was known to be in use at least as early as November 2001. It consisted of a pump driven by a diesel engine and having a flow meter on the discharge side of the pump. This system was mounted on a skid and carried in the bed of a truck. A hose was connected directly between the outlet of a railcar and the inlet of the pump. Another hose was connected between the outlet of the pump and an inlet opening on a transport trailer. No valves were installed on these hoses. This system was operated by McIntire Fuels of Middlebury, Vermont.

It is not believed that the above information is suitable for inclusion on Form PTO/SB/08A or Form PTO/SB/08B. Accordingly, Forms PTO/SB/08A and PTO/SB/08B do not accompany this Statement.

The person making this statement is an attorney of record who signs below on the basis of information which has been supplied by the inventors and/or individuals associated with the filing and prosecution of this application and/or information in the attorney's file.

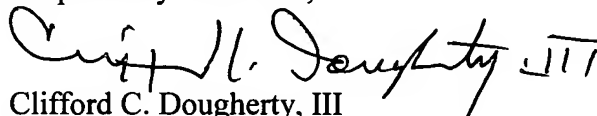
I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1451, Alexandria, Virginia 22313-1451.



Clifford C. Dougherty, III

Date: November 1, 2009

Respectfully submitted,



Clifford C. Dougherty, III

Registration No. 31,607

McAFEE & TAFT

Tenth Floor, Two Leadership Square

211 North Robinson

Oklahoma City, Oklahoma 73102

Phone: (405) 552-2302

Fax: (405) 228-7302

Email: cliff.dougherty@mcafeetaft.com

Attorney for Applicants